

PLAINTIFFS' MOTION FOR INJUNCTION PENDING APPEAL

Pursuant to Fed. R. Civ. P. 62(d), Plaintiffs move this Court to enjoin the Final Rule, 87 Fed. Reg. 24,652, pending Plaintiffs' appeal of this Court's August 23, 2022, Order (ECF 85) denying Plaintiffs' Motions for Preliminary Injunction and Permanent Injunction.¹ The basis for this motion is set forth in the accompanying memorandum.

Respectfully submitted,

Date: August 25, 2022

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¹ The Original Plaintiffs have filed a Notice of Appeal on August 25, 2022, (ECF 87). Plaintiff States, or a number of them, intend to join in that appeal with a forthcoming filing but Original Plaintiffs, being a less numerous group to coordinate, acted first (with Plaintiff States' assent) given the time-sensitive nature of the harms Plaintiffs face. All Plaintiffs move this Court for an injunction pending the appeal noticed and referenced above.

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** Application for Admission Forthcoming*

CERTIFICATE OF SERVICE

I, Anthony R. Napolitano, hereby certify that I have on this day, caused the foregoing document or pleading to be filed with this Court's CM/ECF system, which caused a notice of the filing and a true and correct copy of the same to be delivered to all counsel of record.

Dated: August 25, 2022.

/s/ Anthony R. Napolitano
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